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General Assembly

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Sixty-sixth session
Third Committee
Agenda item 65 (a)
Promotion and protection of the rights of children

Angola:* draft resolution

The girl child

The General Assembly,

Recalling its resolution 64/145 of 18 December 2009 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Reaffirming the equal rights of women and men as enshrined in the Charter of the United Nations,

Recalling all human rights and other instruments relevant to the rights of the child, in particular the girl child, including the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women,[2] the Convention on the Rights of Persons with Disabilities,[3] the Optional Protocols thereto[4] and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages,[5]

Reaffirming the internationally agreed development goals, including the Millennium Development Goals, as well as the commitments relevant to the girl child made at the 2005 World Summit,[6] and welcoming the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium

* On behalf of the States Members of the United Nations that are members of the Southern African Development Community.

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[2] Ibid., vol. 1249, No. 20378.

[3] Resolution 61/106, annex I.

[4] United Nations, *Treaty Series*, vols. 2171 and 2173, No. 27531; and ibid., vol. 2131, No. 20378; and resolution 61/106, annex II.

[5] United Nations, *Treaty Series*, vol. 521, No. 7525.

[6] See resolution 60/1.

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Development Goals entitled "Keeping the promise: united to achieve the Millennium Development Goals",[7]

Reaffirming the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[8] the Declaration of Commitment on HIV/AIDS adopted at the twenty-sixth special session of the General Assembly on HIV/AIDS, entitled "Global Crisis — Global Action",[9] and the Political Declaration on HIV/AIDS of 2006,[10] and welcoming the Political Declaration on HIV/AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS,[11]

Reaffirming also all other relevant outcomes of major United Nations summits and conferences relevant to the girl child, as well as their five- and ten-year reviews, including the Beijing Declaration[12] and Platform for Action[13] adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[14] the Programme of Action of the International Conference on Population and Development,[15] the Programme of Action of the World Summit for Social Development[16] and the outcome document of the High-level Meeting on Youth: Dialogue and Mutual Understanding,[17] as well as the agreed conclusions adopted by the Commission on the Status on Women at its fifty-fifth session,[18] at which it considered "The access and participation of women and girls in education, training, science and technology, including for the promotion of women's equal access to full employment and decent work" as its priority theme,

Welcoming the adoption by the Commission on the Status of Women of the declaration on the occasion of the fifteenth anniversary of the Fourth World Conference on Women,[19] and reiterating that full and effective implementation of the Beijing Declaration and Platform for Action, in particular the strategic objectives relating to the girl child, is essential to achieving the internationally agreed development goals, including the Millennium Development Goals,

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[7] See resolution 65/1.

[8] Resolution S-27/2, annex.

[9] Resolution S-26/2, annex.

[10] Resolution 60/262, annex.

[11] See resolution 65/277.

[12] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[13] Ibid., annex II.

[14] Resolution S-23/2, annex, and resolution S-23/3, annex.

[15] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[16] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex II.

[17] See resolution 65/312.

[18] See *Official Records of the Economic and Social Council, 2011, Supplement No. 7* (E/2011/27), chap. I, sect. A.

[19] Ibid., *2010, Supplement No. 7* and corrigendum (E/2010/27 and Corr.1), chap I, sect. A; see also Economic and Social Council decision 2010/232.

Reaffirming the Dakar Framework for Action, adopted at the World Education Forum in 2000,[20]

Recognizing that chronic poverty remains the single biggest obstacle to meeting the needs of and promoting and protecting the rights of children and that urgent national and international action is therefore required to eliminate it, and noting that the burden of the ongoing global financial and economic crisis, the energy crisis, the food crisis and the continuing food insecurity as a result of various factors is felt directly by households, especially those depending on income from the informal sector, and particularly by women and girls,

Recognizing also that girl children are often at greater risk of being exposed to and encountering various forms of discrimination and violence, which continue to hinder efforts towards the achievement of the Millennium Development Goals, and reaffirming the need to achieve gender equality to ensure a just and equitable world for girls, including through partnering with men and boys, as an important strategy for advancing the rights of the girl child,

Recognizing further that progress has been made in the passage of national legislation that affirms the equality of girls and boys and that corresponding measures have not been taken to effectively implement such legislation, and recognizing the continuing existence of discrimination against women and girls throughout the world and that addressing this situation will require additional efforts to strengthen policy implementation, including through international cooperation,

Recognizing that the empowerment of girls is key in breaking the cycle of discrimination and violence and in promoting and protecting the full and effective enjoyment of their human rights, and further recognizing that empowering girls requires the active support and engagement of their parents, legal guardians, families, the authorities of alternative care institutions, boys and men, as well as the wider community,

Deeply concerned about all forms of violence against children, in particular the phenomena that disproportionately affect girls, such as commercial sexual exploitation and child pornography, child and forced marriage, rape, sexual abuse and domestic violence, and, in addition, about the corresponding lack of accountability and impunity, which reflect discriminatory norms reinforcing the lower status of girls in society,

Deeply concerned also about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, and to quality education, nutrition and physical and mental health care, in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys, and in leaving them more vulnerable than boys to the consequences of unprotected and premature sexual relations and often being subjected to various forms of cultural, social, sexual and economic exploitation and violence, abuse, rape, incest, honour-related crimes and harmful traditional practices, such as female infanticide, child and forced marriages, prenatal sex selection and female genital mutilation,

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[20] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

Deeply concerned further that, despite its widespread practice, child marriage is still underreported and has received limited attention,

Deeply concerned that female genital mutilation violates and impairs the full enjoyment of the human rights of women and girls and that it is an irreparable and irreversible harmful practice, and that the goal of ending female genital mutilation by 2010, set out in the document entitled "A world fit for children", remains unmet,

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among those most affected and furthermore become the victims of sexual violence, abuse and exploitation and sexually transmitted infections and diseases, including HIV and AIDS, which have a serious impact on the quality of their lives and leave them open to further discrimination, violence and neglect, thus limiting their potential for full development,

Emphasizing that increased access to education, including in the areas of sexual and reproductive health, for young people, especially girls, dramatically lowers their vulnerability to preventable diseases, in particular HIV infection and sexually transmitted diseases,

Deeply concerned by the increasing number of child-headed households, in particular those headed by orphaned girls, including those orphaned by the HIV and AIDS epidemic,

Deeply concerned also that early childbearing and limited access to sexual and reproductive health care, including in the areas of skilled birth attendance, and emergency obstetric care, cause high levels of obstetric fistula and maternal mortality and morbidity,

Recognizing that early childbearing continues to be an impediment to the improvement of the educational and social status of girls in all parts of the world and that, overall, child and forced marriages and early motherhood can severely curtail their educational opportunities and are likely to have a long-term, adverse impact on their employment opportunities and on their and their children's quality of life,

Welcoming the political declaration of the High-level Meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action: United against racism, racial discrimination, xenophobia and related intolerance,[21] while convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

Recognizing that women and girls with disabilities are subject to multiple discrimination, including in education and schooling,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as provided to her under human rights instruments, and urges States to consider signing and ratifying or acceding to the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against

[21] See resolution 66/3.

Women,[2] the Convention on the Rights of Persons with Disabilities[3] and the Optional Protocols thereto[4] as a matter of priority;

2. *Urges* all States that have not yet signed and ratified or acceded to the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization to consider doing so;

3. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum,[20] in particular that of eliminating gender disparities in primary and secondary education by 2005, which have not been fully met, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and calls for the implementation of and reaffirms the commitments contained in the Education for All goals and the Millennium Development Goals, particularly those related to gender and education;

4. *Calls upon* all States to place enhanced emphasis on quality education for the girl child, including catch-up and literacy education for those who did not receive formal education, to promote access to skills and entrepreneurial training for young women and to tackle male and female stereotypes in order to ensure that young women entering the labour market have opportunities to obtain full and productive employment and decent work;

5. *Encourages* States to develop gender-sensitive curricula for educational programmes at all levels and take concrete measures to ensure that educational materials portray women and men, youth, girls and boys in positive and non-stereotypical roles, particularly in the teaching of scientific and technological subjects, in order to address the root causes of segregation in working life;

6. *Calls upon* States and the international community to recognize the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, ensuring that all children have access to education of good quality, as well as making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and ensuring school attendance, in particular for girls and children from low-income families;

7. *Also calls upon* States, with the support of international organizations, civil society and non-governmental organizations, as appropriate, to develop policies and programmes, giving priority to formal and informal education programmes that support girls and enable them to acquire knowledge, develop self-esteem and take responsibility for their own lives, and to place special focus on programmes to educate women and men, especially parents, about the importance of girls' physical and mental health and well-being, including the elimination of discrimination against girls in child and forced marriages;

8. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing Platform for Action, in particular the strategic objectives relating to the girl child, and the further actions and initiatives to implement the Beijing Declaration and

Platform for Action,[22] and to mobilize all necessary resources and support in order to achieve the goals and strategic objectives and actions set out in the Beijing Declaration and Platform for Action;

9. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action, as contained in paragraph 33 of the further actions and initiatives, where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

10. *Urges* States to strengthen efforts to urgently eradicate all forms of discrimination against women and girls, and, where applicable, to remain dedicated to the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto;[23]

11. *Also urges* States to fulfil the pledges that they made at the Fourth World Conference on Women and at the twenty-third special session of the General Assembly to modify or abolish remaining laws that discriminate against women and girls;

12. *Further urges* States to improve the situation of girl children living in poverty, deprived of nutrition, water and sanitation facilities, with limited or no access to basic physical and mental health-care services, shelter, education, participation and protection, taking into account that, while a severe lack of goods and services hurts every human being, it is most threatening and harmful to the girl child, leaving her unable to enjoy her rights, to reach her full potential and to participate as a full member of society;

13. *Urges* States to ensure that the applicable requirements of the International Labour Organization for the employment of girls and boys are respected and effectively enforced and that girls who are employed have equal access to decent work, and equal payment and remuneration, are protected from economic exploitation, discrimination, sexual harassment, violence and abuse in the workplace, are aware of their rights and have access to formal and non-formal education, skills development and vocational training, and further urges States to develop gender-sensitive measures, including national action plans, where appropriate, to eliminate the worst forms of child labour, including commercial sexual exploitation, slavery-like practices, forced and bonded labour, trafficking and hazardous forms of child labour;

14. *Recognizes* the importance of strengthening health systems, in particular primary health care and the need to integrate the HIV response into it, and notes that weak health systems, which already face many challenges, including a lack of trained health workers and insufficient retention of skilled health workers, are among the biggest barriers to accessing health care;

15. *Calls upon* States, with the support of relevant stakeholders including the private sector and faith-based organizations, to take all measures necessary to ensure the right of girls to the enjoyment of the highest attainable standard of health,

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[22] Resolution S-23/3, annex.

[23] United Nations, *Treaties Series*, vol. 2131, No. 20378.

including sexual and reproductive health, and to develop sustainable health systems and social services;

16. *Urges* all States to promote gender equality and equal access to basic social services, such as education, nutrition, birth registration, health care, including sexual and reproductive health, vaccinations and protection from diseases representing the major causes of mortality, including non-communicable diseases, and to mainstream a gender perspective in all development policies and programmes, including those relating to children as well as those specific to the girl child;

17. *Calls upon* States, with the support of international organizations and civil society, including non-governmental organizations, to take appropriate measures to address the root factors of child and forced marriages, including by undertaking educational activities to raise awareness regarding the negative aspects of such practices;

18. *Urges* all States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, and, in addition, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and raise the minimum age for marriage where necessary, and to develop and implement comprehensive policies, plans of action and programmes for the survival, protection, development and advancement of the girl child in order to promote and protect the full enjoyment of her human rights and to ensure equal opportunities for girls, including by making such plans an integral part of her total development process;

19. *Urges* States to ensure that efforts to implement legislation to end child and forced marriage engage all stakeholders and agents of change and ensure that the information on the legislation banning the practice is well known and generates social support for the enforcement of such laws and legislation;

20. *Calls upon* States to support community workshops and discussion sessions that enable communities to collectively explore alternatives to child marriage, provide information from credible sources, including medical personnel and religious leaders, regarding the harm associated with child marriage, give greater voice to girls, and ensure consistency of the message throughout the entire community, with the strong engagement of men and boys;

21. *Also calls upon* States to support and implement, including with dedicated resources, multisectoral policies and programmes that end the practice of child marriage and ensure the provision of viable alternatives and institutional support, especially educational opportunities for girls, with an emphasis on keeping girls in school through post-primary education, including those who are already married or pregnant, ensuring physical access to education by establishing safe residential facilities, increasing financial incentives to families, promoting the empowerment of girls, improving educational quality, and ensuring safe and hygienic conditions in schools;

22. *Further calls upon* States to strengthen research, data collection and analysis of child and enforced marriage, disaggregated by age, sex and geographic location, in order to identify the multiple forms of discrimination girls face and to develop necessary policy and programme responses;

23. *Urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced migration, forced labour, and forced marriage, as well as marriage under legal age, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence and discrimination;

24. *Urges* States to complement punitive measures with educati nal activities designed to promote a process of consensus towards the abandonmen of harmful practices such as female genital mutilation and to provide appropriate services for those affected by the practices;

25. *Calls upon* all States to enact and enforce the necessary legislative or other measures, in cooperation with relevant stakeholders, to prevent the distribution over the Internet of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable reporting and removal of such material and that its creators, distributors and collectors are prosecuted as appropriate;

26. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of discrimination and violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteurs of the Human Rights Council on violence against women, its causes and consequences, and on trafficking in persons, especially women and children, and of the Special Representative of the Secretary-General on violence against children;

27. *Also urges* States to ensure that the right of children to express themselves and to participate in all matters affecting them, in accordance with their age and maturity, is fully and equally enjoyed by girls;

28. *Further urges* States to involve girls, including girls with special needs, and their representative organizations, in decision-making processes, as appropriate, and to include them as full and active partners in identifying their own needs and in developing, planning, implementing and assessing policies and programmes to meet those needs;

29. *Recognizes* that a considerable number of girl children are particularly vulnerable, including orphans, children living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation, children living with HIV and AIDS, and children who are incarcerated who live without parental support, and therefore urges States, with the support of the international community, where relevant, to take appropriate measures to address the needs of such children by implementing national policies and strategies to build and strengthen governmental, community and family capacities to provide a supportive environment for such children, including by providing appropriate counselling and psychosocial support, and ensuring their enrolment in school and

access to shelter, good nutrition and health and social services on an equal basis with other children;

30. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, in particular girls, considering, inter alia, views, skills and capacities that those children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

31. *Urges* all States and the international community to respect, promote and protect the rights of the girl child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations, as well as humanitarian emergencies, and further urges States to take special measures for the protection of girls, in particular to protect them from sexually transmitted infections, including HIV infection, gender-based violence, including rape, sexual abuse and sexual exploitation, torture, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account their special needs in the delivery of humanitarian assistance and disarmament, demobilization, rehabilitation assistance and reintegration processes;

32. *Deplores* all cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crises, including those cases involving humanitarian workers and peacekeepers, and urges States to take effective measures to address gender-based violence in humanitarian emergencies and to make all possible efforts to ensure that their laws and institutions are adequate to prevent, promptly investigate and prosecute acts of gender-based violence;

33. *Also deplores* all acts of sexual exploitation, abuse of and trafficking in women and children by military, police and civilian personnel involved in United Nations operations, welcomes the efforts undertaken by United Nations agencies and peacekeeping operations to implement a zero-tolerance policy in this regard, and requests the Secretary-General and personnel-contributing countries to continue to take all appropriate action necessary to combat these abuses by such personnel, including through the full implementation without delay of those measures adopted in the relevant General Assembly resolutions based on recommendations of the Special Committee on Peacekeeping Operations;[24]

34. *Urges* Member States, the United Nations and other international, regional and subregional organizations, as well as civil society, including non-governmental organizations, the private sector and the media, to fully and effectively implement the relevant provisions of the United Nations Global Plan of Action to Combat Trafficking in Persons[25] and the activities outlined therein;

35. *Calls upon* Member States to devise, enforce and strengthen effective child- and youth-sensitive measures to combat, eliminate and prosecute all forms of trafficking in women and girls, including for sexual and economic exploitation, as part of a comprehensive anti-trafficking strategy within wider efforts to eliminate all forms of violence against women and girls, including by taking effective measures against the criminalization of girls who are victims of exploitation and ensuring that girls who have been exploited receive access to the necessary psychosocial support;

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[24] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1).

[25] Resolution 64/293.

36. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and full respect for and the enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate and gender-sensitive information material on those rights to all sectors of society, in particular to children;

37. *Requests* the Secretary-General, as Chair of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Entity for Gender Equality and the Empowerment of Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in country programmes of cooperation in accordance with national priorities, including through the United Nations Development Assistance Framework;

38. *Requests* all human rights treaty bodies and the human rights mechanisms of the Human Rights Council, including the special procedures, to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

39. *Requests* States to ensure that, in all policies and programmes designed to provide comprehensive HIV and AIDS prevention, treatment, care and support, particular attention and support is given to the girl child at risk, infected with or affected by HIV, including pregnant girls and young and adolescent mothers, with a view to achieving Millennium Development Goal 6, in particular to halt and begin to reverse by 2015 the spread of HIV;

40. *Invites* States to promote initiatives aimed at reducing the prices of antiretroviral drugs, especially second-line drugs, available to the girl child, including bilateral and private sector initiatives as well as initiatives on a voluntary basis taken by groups of States, including those based on innovative financing mechanisms that contribute to the mobilization of resources for social development, including those that aim to provide further access to drugs at affordable prices to developing countries on a sustainable and predictable basis, and in this regard takes note of the International Drug Purchase Facility, UNITAID;

41. *Calls upon* all States to integrate food and nutritional support with the goal that children, especially girl children, have access at all times to sufficient, safe and nutritious food to meet their dietary needs and food preferences, for an active and healthy life, as part of a comprehensive response to HIV and AIDS, other communicable diseases and non-communicable diseases;

42. *Urges* States and the international community to increase resources at all levels, particularly in the education and health sectors, to enable young people, especially girls, to gain the knowledge, attitudes and life skills that they need to overcome their challenges;

43. *Stresses* the need to strengthen the commitment of States and the United Nations system in their responsibility to mainstream the promotion and protection of the rights of the child, in particular the girl child, in the development agenda at the national, regional and international levels;

44. *Urges* States, the international community, the relevant United Nations entities, civil society and international financial institutions to continue to actively support, through the allocation of increased financial resources, targeted innovative programmes that address ending female genital mutilation and developing and providing education programmes, such as the United Nations Population Fund-United Nations Children's Fund joint programme on accelerating the abandonment of female genital mutilation, and sensitization workshops on the dire consequences of this harmful practice for the health of the girl, and to provide training programmes for those who perform the harmful procedure so that they may adopt an alternative profession;

45. *Calls upon* States to strengthen the capacity of national health systems, and in this regard calls upon the international community to assist national efforts, including by allocation of adequate resources in order to provide essential services needed to prevent obstetric fistula and to treat those cases that occur by providing the continuum of services, including family planning, prenatal and post-natal care, skilled birth attendance, emergency obstetric care and post-partum care, to adolescent girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

46. *Calls upon* States and the international community to create an environment in which the well-being of the girl child is ensured, inter alia, by cooperating, supporting and participating in global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all levels, in order to ensure that all the internationally agreed development and poverty eradication goals, including those set out in the United Nations Millennium Declaration,[26] are realized within their time framework, and reaffirming that investment in children, particularly girls, and the realization of their rights are among the most effective ways to eradicate poverty;

47. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-eighth session on the implementation of the present resolution, including an emphasis on child-headed families, their causes, effects and prospects, using information provided by Member States, the organizations and bodies of the United Nations system and non-governmental organizations, with a view to assessing the impact of the present resolution on the well-being of the girl child.

[26] See resolution 55/2.

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Sixty-sixth session
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Agenda item 65 (a)
Promotion and protection of the rights of children

Antigua and Barbuda, Argentina, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Ireland, Italy, Jamaica, Latvia, Lithuania, Luxembourg, Malta, Mexico, Netherlands, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Slovakia, Slovenia, Spain, Suriname, Sweden, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of): draft resolution

Rights of the child

The General Assembly,

Reaffirming all its previous resolutions on the rights of the child in their entirety, the most recent of which is resolution 65/197 of 21 December 2010,

Emphasizing that the Convention on the Rights of the Child[1] constitutes the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention,[2] calling for their universal ratification and effective implementation, as well as those of other human rights instruments,

Recalling the Convention on the Rights of Persons with Disabilities,[3] the International Convention for the Protection of All Persons from Enforced Disappearance[4] and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[5]

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vols. 2171 and 2173, No. 27531.
[3] Resolution 61/106, annex I.
[4] Resolution 61/177, annex.
[5] United Nations, *Treaty Series*, vol. 2220, No. 39481.

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Reaffirming that the general principles set out in the Convention on the Rights of the Child, including, inter alia, the best interests of the child, non-discrimination, participation and survival and development, provide the framework for all actions concerning children, including adolescents,

Reaffirming also the Vienna Declaration and Programme of Action,[6] the United Nations Millennium Declaration[7] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[8] and recalling the Copenhagen Declaration on Social Development and the Programme of Action,[9] the Dakar Framework for Action adopted at the World Education Forum,[10] the Declaration on Social Progress and Development,[11] the Universal Declaration on the Eradication of Hunger and Malnutrition,[12] the Declaration on the Right to Development[13] and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,[14] as well as the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, held in New York from 20 to 22 September 2010,[15]

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[16] and on the status of the Convention on the Rights of the Child and the issues addressed in Assembly resolution 65/197,[17] as well as the report of the Special Representative of the Secretary-General on Violence against Children[18] and the report of the Special Representative of the Secretary-General for Children and Armed Conflict,[19] whose recommendations should be carefully studied, taking fully into account the views of Member States,

Acknowledging the important role played by national governmental structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Recognizing that the family has the primary responsibility for the nurturing and protection of children and that children, for the full and harmonious

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[6] A/CONF.157/24 (Part I), chap. III.

[7] See resolution 55/2.

[8] Resolution S-27/2, annex.

[9] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[10] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[11] See resolution 2542 (XXIV).

[12] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[13] Resolution 41/128, annex.

[14] See resolution 62/88.

[15] See resolution 65/1.

[16] A/66/258.

[17] A/66/230.

[18] A/66/227.

[19] A/66/256.

development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

Taking note with appreciation of the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, and relevant mandate holders and special procedures of the United Nations, as well as relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

Profoundly concerned that the situation of children in many parts of the world has been negatively impacted by the world financial and economic crisis, and reaffirming that eradicating poverty continues to be the greatest global challenge facing the world today, recognizing its impact beyond the socio-economic context,

Profoundly concerned also that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, lack of access to safe drinking water and sanitation, environmental damage, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, trafficking in children and their organs, all forms of exploitation, commercial sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Gravely concerned about the devastating impact of some of the recent natural disasters, including on children, reaffirming the importance of providing speedy, sustainable and adequate humanitarian assistance in support of relief, early recovery, rehabilitation, reconstruction and development efforts of the affected countries, and reaffirming also the importance of ensuring that human rights, including child rights, are mainstreamed into these efforts,

Stressing the need for the full and effective implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons,[20] and expressing the view that it will, inter alia, contribute to the promotion and protection of the rights of children, enhance cooperation and better coordination of efforts in fighting trafficking in persons and promote increased ratification and full implementation of the United Nations Convention against Transnational Organized Crime[21] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[22]

[20] Resolution 64/293.

[21] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[22] Ibid., vol. 2237, No. 39574.

I
Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* paragraphs 1 to 6 of its resolution 65/197 of 21 December 2010, and urges States that have not yet done so to become parties to the Convention on the Rights of the Child[1] and the Optional Protocols thereto[2] as a matter of priority and to implement them fully;

2. *Welcomes* the efforts of the Secretary-General to promote the universal ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict ahead of the tenth anniversary in 2012 of their entry into force, and in that regard calls upon all States that have not done so to consider ratifying the Convention and the Optional Protocols thereto and calls for the effective implementation of the Convention and the Optional Protocols by States parties to ensure that all children may fully enjoy all their human rights and fundamental freedoms;

3. *Calls upon* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[6]

4. *Takes note with appreciation* of the adoption by the Human Rights Council of an optional protocol to the Convention on the Rights of the Child providing a communications procedure complementary to the reporting procedure under the Convention on the Rights of the Child;[23]

5. *Encourages* States parties, in implementing the provisions of the Convention and the Optional Protocols thereto, to take note of the recommendations, observations and general comments of the Committee on the Rights of the Child, including, inter alia, general comment No. 9 (2006) on the rights of children with disabilities;[24]

6. *Welcomes* actions of the Committee to monitor the implementation by States parties of the Convention, and notes with appreciation its actions to follow up on its concluding observations and recommendations, and in this regard underlines, in particular, the regional workshops and the participation of the Committee in national-level initiatives;

II
Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

7. *Reaffirms* paragraphs 9 to 11 of its resolution 63/241 of 24 December 2008, and calls upon States to ensure the enjoyment by all children of all their civil, political, cultural, economic and social rights without discrimination of any kind;

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[23] Human Rights Council resolution 17/18, annex.

[24] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 41* (A/63/41), annex III.

Registration, family relations and adoption or other forms of alternative care

8. *Also reaffirms* paragraphs 12 to 16 of its resolution 63/241, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child[1] to protect children in matters relating to registration, family relations and adoption and other forms of alternative care, and, in cases of international parental or familial child abduction, encourages States to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

9. *Welcomes* the Guidelines for the Alternative Care of Children, contained in the annex to its resolution 64/142 of 18 December 2009, as a set of orientations in matters relating to the protection and well-being of children who are in need of alternative care or who are at risk of being so;

Economic and social well-being of children, eradication of poverty, right to education, right to enjoyment of the highest attainable standard of physical and mental health and right to food

10. *Reaffirms* paragraphs 17 to 26 of its resolution 63/241, paragraphs 42 to 52 of its resolution 61/146 of 19 December 2006, on the theme of children and poverty, and paragraphs 37 to 42 of its resolution 60/231 of 23 December 2005, on the theme of children living with or affected by HIV or AIDS, and calls upon all States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their previous commitments relating to poverty eradication, the right to education, and measures to promote human rights education, in accordance with the evolving capacities of the child, the right to the enjoyment of the highest attainable standard of physical and mental health, including efforts to address the situation of children living with or affected by HIV or AIDS and to eliminate mother-to-child transmission of HIV, the right to food for all and the right to an adequate standard of living, including housing and clothing;

11. *Recognizes* the threat to the achievement of the internationally agreed development goals, including the Millennium Development Goals, posed by the global financial and economic crisis, which is connected to multiple, interrelated global crises and challenges, such as the food crisis and continuing food insecurity, volatile energy and commodity prices, environmental degradation and climate change, and calls upon States to address, in their response to these crises, any negative impact on the full enjoyment of the rights of children;

Elimination of violence against children

12. *Reaffirms* paragraphs 27 to 32 of its resolution 63/241 and paragraphs 47 to 62 of its resolution 62/141 of 18 December 2007, on the theme of elimination of violence against children, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 27 of its resolution 63/241;

13. *Urges* States to take effective and appropriate legislative and other measures or, where such measures exist, to strengthen legislation to prohibit and eliminate all forms of violence against children, in all settings;

14. *Encourages* all States, requests United Nations entities and agencies, and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on Violence against Children and to provide support, including financial support, to her for the effective and independent performance of her mandate, as set out in resolution 62/141, and in promoting the further implementation of the recommendations of the United Nations study on violence against children,[25] while promoting and ensuring country ownership and national plans and programmes or other related relevant instruments in this regard, and calls upon States and institutions concerned, and invites the private sector, to provide voluntary contributions for that purpose;

15. *Notes with appreciation* the consolidated partnerships promoted by the Special Representative of the Secretary-General on Violence against Children, in coordination with national Governments, United Nations agencies, regional organizations, human rights bodies and mechanisms and representatives of civil society and with the participation of children;

16. *Takes note with appreciation* of the joint report of the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Representative of the Secretary-General on violence against children on effective and child-sensitive counselling, and complaint and reporting mechanisms to which children can safely report incidents of violence, including sexual violence and exploitation;[26]

Promoting and protecting the rights of children, including children in particularly difficult situations

17. *Reaffirms* paragraphs 34 to 42 of its resolution 63/241, and calls upon all States to promote and protect all human rights of all children in particularly difficult situations and to implement programmes and measures that provide them with special protection and assistance, including access to health care, education and social services, as well as, where appropriate and feasible, voluntary repatriation, reintegration, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are a primary consideration;

18. *Recalls* Human Rights Council resolution 16/12 of 24 March 2011, entitled "Rights of the child: a holistic approach to the protection and promotion on the rights of children working and/or living on the street", and calls on States to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of children working or living on the street;

Children alleged to have infringed or recognized as having infringed penal law and children of persons alleged to have infringed or recognized as having infringed penal law

19. *Reaffirms* paragraphs 43 to 47 of its resolution 63/241, and calls upon all States to respect and protect the rights of children alleged to have infringed or

[25] See A/61/299 and A/62/209.
[26] A/HRC/16/56.

recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

Prevention and eradication of the sale of children, child prostitution and child pornography

20. *Also reaffirms* paragraphs 48 to 50 of its resolution 63/241, and calls upon all States to prevent, criminalize, prosecute and punish all forms of the sale of children, including for the purposes of the transfer of organs of the child for profit, child slavery, commercial sexual exploitation of children, child prostitution and child pornography, with the aim of eradicating those practices and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the needs of victims effectively and take effective measures against the criminalization of children who are victims of exploitation;

21. *Calls upon* all States to develop and implement programmes and policies to protect children from sexual abuse, commercial sexual exploitation, child prostitution, child pornography, child sex tourism and child abduction, and calls upon States to implement strategies to locate and assist all children subject to these violations;

22. *Also calls upon* all States to enact and enforce necessary legislative or other measures, in cooperation with relevant stakeholders, to prevent the distribution over the Internet and in all other media of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable the reporting and removal of such material and that its creators, distributors and collectors are prosecuted as appropriate;

Children affected by armed conflict

23. *Reaffirms* paragraphs 51 to 63 of its resolution 63/241, condemns in the strongest terms all violations and abuses committed against children affected by armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, including humanitarian law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children in attacks on schools and hospitals, as well as in all other violations and abuses against children, to take time-bound and effective measures to end them, and urges all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to continue to give serious attention to, and to protect and assist child victims of, all violations and abuses committed against children in situations of armed conflict, in accordance with international humanitarian law, including the First to Fourth Geneva Conventions;[27]

24. *Also reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict, and also notes the activities undertaken by the

[27] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

Peacebuilding Commission, within its mandate, in areas that promote and contribute to the enjoyment of the rights and welfare of children;

25. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004, 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with those resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective, reliable and verifiable, and in this regard encourages the work and the deployment, as appropriate, of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

Child labour

26. *Reaffirms* paragraphs 64 to 80 of its resolution 63/241, on the theme of child labour, and calls upon all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to have a negative impact on the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, and to eliminate immediately the worst forms of child labour;

27. *Notes with interest* the outcome of the Hague Global Child Labour Conference, including the Road Map for Achieving the Elimination of the Worst Forms of Child Labour by 2016;[28]

28. *Calls upon* all States to take into account the report of the Director-General of the International Labour Organization on the global child labour situation, entitled "Accelerating action against child labour";[29]

29. *Urges* all States that have not yet done so to consider ratifying both the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), and the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138), of the International Labour Organization;

Implementing child rights in early childhood

30. *Reaffirms* paragraphs 28 to 45 of its resolution 65/197, reaffirming that early childhood is a critical phase for the realization of all the rights enshrined in the Convention on the Rights of the Child, and urges all States to implement the measures set out in paragraph 43 of the resolution;

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[28] Available from www.ilo.org/ipec/Campaignandadvocacy/GlobalChildLabourConference/lang--en/index.htm.

[29] Available from www.ilo.org/declaration.

III
The rights of children with disabilities

31. *Reaffirms* that all children with disabilities are entitled to the full enjoyment of all human rights and fundamental freedoms on an equal basis with other children, as enshrined in the Convention on the Rights of the Child[1] and the Convention on the Rights of Persons with Disabilities,[3] and that the full and effective implementation of those instruments is an important step towards the realization of the rights of children with disabilities, including respect for their evolving capacities and for their right to preserve their identity;

32. *Stresses* the importance of international cooperation in building national capacity for improving the living conditions of persons with disabilities in every country, in particular in developing countries;

33. *Recognizes* that discrimination against any child on the basis of disability is a violation of the inherent dignity and worth of the child, and expresses grave concern that children with disabilities face discriminatory, attitudinal and environmental barriers to their participation and inclusion in society and in the community, on an equal basis with other children, as well as violations of their human rights in all parts of the world;

34. *Concerned* that children with disabilities, in particular girls, are often at greater risk, both within and outside the home, of physical or mental violence, injury or abuse, neglect or negligent treatment and maltreatment or exploitation, including sexual abuse;

35. *Recognizes* that the majority of children with disabilities live in poverty, reaffirms that the eradication of poverty is essential to the achievement of all the Millennium Development Goals and to the full realization of the rights of all children, also reaffirms the commitments set out in the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,[15] adopted on 22 October 2010, and acknowledges that equitable access to economic opportunities and social services, as close as possible to children's own communities, is an integral part of relevant strategies for sustainable development;

36. *Also recognizes* that children with disabilities are often denied the right to a family environment and to live and be included in their communities, and in this regard reaffirms that they have equal rights with respect to family and community life and should not be separated from their parents against their will nor on the basis of disability of either the child or one or both of the parents, except when such separation is necessary for the best interests of the child;

37. *Expresses concern* at the number of children with disabilities who continue to be denied the right to education, and reaffirms the right of all children to education on the basis of equal opportunity and universal accessibility, and the right of children with disabilities to have effective access to and to receive education in a manner conducive to their fullest possible social inclusion and individual development, including their cultural and spiritual development;

38. *Recognizes* that early education is particularly important for children with disabilities, and that the measures taken to implement the right to education of

children with disabilities should be aimed at ensuring their maximum inclusion in society, free from discrimination;

39. *Reaffirms* that States should take effective and appropriate measures to ensure that children with disabilities retain their fertility on an equal basis with others, and that adolescent boys and girls have access to information and education, including on reproductive and family planning, that is age-appropriate and in an accessible format;

40. *Recognizes* that children with disabilities are particularly vulnerable in situations of risk, including armed conflict, humanitarian emergencies and natural disasters, and reaffirms the obligations of States to take all measures necessary to ensure their safety and protection in such situations, including through the review of their emergency response programmes and support facilities to make them accessible to children with disabilities;

41. *Calls upon* all States to include, within the overall context of policies and programmes, appropriate provisions for the realization of the rights of children with disabilities, and, in particular, urges all States and regional integration organizations that have not yet done so:

(a) To consider acceding to the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto,[30] and to do so as a matter of priority;

(b) To ensure that the rights of children with disabilities are fully respected, protected and fulfilled by, as appropriate, undertaking comprehensive reviews, as necessary, of all domestic laws, related regulations and policies in order to certify that all provisions of the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities are applicable to all children, including children with disabilities;

(c) To prohibit discrimination against children with disabilities on the basis of disability and guarantee equal and effective legal protection against discrimination;

(d) To take appropriate measures to ensure that children with disabilities have access, on an equal basis with others, to information on their rights, including through human rights education and training, so that they can identify, prevent and act upon violations against them, as well as access to the physical environment, to transportation, to information and communications technologies and to systems and other facilities and services that are open, accessible and provided to the public both in urban and in rural areas;

(e) To take all measures necessary to ensure the registration of children with disabilities immediately after birth, including by removing barriers that impede their registration, and to guarantee their right to a name, their right to a nationality and, as far as possible, their right to know and be cared for by their parents;

(f) To implement fully the commitments set out in United Nations General Assembly resolutions 65/186 of 21 December 2010 and 64/131 of 18 December 2009, in particular, to ensure that children with disabilities are rendered visible in the collection and analysis of data, by setting up and developing mechanisms for the collection of information, including statistical and research data on the situation of

[30] Resolution 61/106, annex II.

children with disabilities which are accurate, standardized and allow for disaggregation on the basis of sex, age and disability;

(g) To adopt, implement and strengthen appropriate policies aimed at ensuring the right to an adequate standard of living of children with disabilities and their families, along with universal access to quality and affordable services, especially health care, nutrition, education, welfare, social protection, safe drinking water, sanitation and other services that are essential for the child's well-being, and, in this regard, to pay particular attention to the most vulnerable children and those living under especially difficult circumstances;

(h) To ensure that children with disabilities have access to the same range, quality and standard of free, affordable, gender-sensitive and age-appropriate health care and programmes as are provided to other children, including in the area of sexual and reproductive health, and to take measures to prohibit by law the forced abortion and sterilization of children on grounds of disability;

(i) To ensure equal access for children with disabilities to appropriate, timely, affordable and high-quality rehabilitation interventions within the existing health-care infrastructure, consistent with the Convention on the Rights of Persons with Disabilities, and to strengthen rehabilitation service provision through community-based rehabilitation;

(j) To ensure that community and civil society institutions, services and facilities responsible for children with disabilities comply with national and local quality standards, especially in the areas of health and social protection, and to develop training programmes to ensure a quality, suitable and well-trained workforce with a view to the inclusion of children with disabilities;

(k) To prevent the concealment, abandonment, neglect or segregation of children with disabilities by, inter alia, bringing to an end the practice of the separation of children with disabilities from their families, unless it is in the best interests of the child, recognizing that in such cases the children are entitled to special protection and assistance provided by the State, and considering the introduction of a time-bound commitment to replacing institutionalization with appropriate measures to support family and community care and transferring resources to community-based support services and other forms of alternative care;

(l) To develop strategies for the prevention and elimination of all forms of violence against children with disabilities, who are particularly vulnerable to cruel, inhuman, degrading treatment, medical or scientific experimentation, and sexual and physical violence, including bullying and cyberbullying, and to develop and introduce child- and gender-sensitive, accessible, safe and confidential reporting and complaints mechanisms;

(m) To adopt legislative and other appropriate measures, including cross-sectoral approaches, to ensure the full realization of the right to education of children with disabilities, including by providing accessible, free and compulsory primary education on the basis of equal opportunity, accessibility and inclusiveness, directed at the development of their personality, talents and mental and physical abilities, from early childhood care and development to vocational training and preparation for work;

(n) To ensure the realization of the right of children with disabilities to access on an equal basis to participation in play, recreation, culture, leisure and sporting activities, including in the preschool and school system;

(o) To introduce specific measures to ensure the realization of the right of children with disabilities to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance for the realization of that right;

(p) To take all appropriate measures to ensure the protection and safety of children with disabilities in situations of armed conflict, humanitarian emergencies and natural disasters, including adopting and implementing programmes to ensure the physical and psychological recovery and social reintegration of children with disabilities, including children who acquire disability as a consequence of such situations of risk, and to ensure that such recovery and reintegration take place in an environment which fosters the health, self-respect and dignity of the child;

(q) To take all measures necessary to ensure that persons with disabilities, including children with disabilities, through their representative organizations, are closely consulted and actively involved in the development and implementation of legislation and policies to implement the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, and in other decision-making processes concerning issues relating to persons with disabilities;

42. *Calls upon* all Member States, and invites the United Nations system, to strengthen international cooperation to ensure the realization of the rights of the child, including the rights of children with disabilities, by, inter alia, supporting national initiatives that give more emphasis to their development, as appropriate;

43. *Calls upon* the relevant entities, funds and programmes of the United Nations system, donor institutions, including the international financial institutions, and bilateral donors to support, inter alia, national initiatives, when requested, including development programmes for children with disabilities, financially and technically, as well as to enhance effective international cooperation and partnership to strengthen knowledge-sharing and capacity-building for children with disabilities, in terms of policy development, programme development, research and professional training;

44. *Calls upon* all Member States, and invites the United Nations, to focus increased attention on children with disabilities in all relevant work for children and adolescents, including in the Education for All agenda;

IV
Follow-up

45. *Takes note with appreciation* of the work of the Special Representative of the Secretary-General for Children and Armed Conflict, recognizes the increased level of activity of her Office and the progress achieved since the establishment of the mandate of the Special Representative, and, bearing in mind its resolution 60/231, recommends that the Secretary-General extend the mandate of the Special Representative for a further period of four years;

46. *Decides*:

(a) To request the Secretary-General to submit to the General Assembly at its sixty-seventh session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child[1] and the issues addressed in the present resolution, with a focus on indigenous children;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) To request the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the agenda concerning violence against children;

(d) To request the Special Rapporteur on the sale of children, child prostitution and child pornography to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the agenda concerning the sale of children, child prostitution and child pornography;

(e) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-seventh session as a way to enhance communication between the Assembly and the Committee;

(f) To continue its consideration of the question at its sixty-seventh session under the item entitled "Promotion and protection of the rights of children", focusing section III of the resolution entitled "Rights of the child" on the rights of indigenous children.

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General Assembly

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Sixty-sixth session
Third Committee
Agenda item 66 (a)
Rights of indigenous peoples

Bolivia (Plurinational State of), Ecuador, Guatemala, Mexico, Nicaragua, Peru, Venezuela (Bolivarian Republic of): draft resolution

Rights of indigenous peoples

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples,

Reaffirming its resolution 65/198 of 21 December 2010, in which the General Assembly decided to organize a high-level plenary meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples, to be held in 2014,

Recalling its resolution 59/174 of 20 December 2004 on the Second International Decade of the World's Indigenous People (2005-2014),

Recalling also the 2007 United Nations Declaration on the Rights of Indigenous Peoples,[1] which addresses their individual and collective rights,

Recalling further the United Nations Millennium Declaration,[2] the 2005 World Summit Outcome[3] and the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,[4]

Recalling Human Rights Council resolution 18/8 of 29 September 2011 on human rights and indigenous peoples,

Recalling also the first Peoples' World Conference on Climate Change and the Rights of Mother Earth, hosted by the Plurinational State of Bolivia in Cochabamba from 20 to 22 April 2010,

[1] Resolution 61/295, annex.
[2] See resolution 55/2.
[3] See resolution 60/1.
[4] See resolution 65/1.

Please recycle

Stressing the importance of strengthening international cooperation to support national, regional and global plans for the benefit of indigenous peoples in relation to their full enjoyment of economic, social, cultural, civil and political rights, their full and equal participation and integration in all political, economic, social and cultural aspects of society, and the promotion of a greater knowledge of and respect for their holistic traditional scientific knowledge of their lands, natural resources and environment,

Concerned about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators and about the impediments to their full enjoyment of their rights,

Recalling its resolution 65/198, by which it decided to expand the mandate of the United Nations Voluntary Fund for Indigenous Populations so that it could assist representatives of indigenous peoples' organizations and communities to participate in sessions of the Human Rights Council and of human rights treaty bodies, based on diverse and renewed participation and in accordance with relevant rules and regulations, including Economic and Social Council resolution 1996/31 of 25 July 1996, and urged States to contribute to the Fund,

1. *Welcomes* the work of the Special Rapporteur on the rights of indigenous peoples, as well as his most recent report;[5]

2. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Populations and the Trust Fund for the Second International Decade of the World's Indigenous People, and invites indigenous organizations and private institutions and individuals to do likewise;

3. *Encourages* those States that have not yet ratified or acceded to the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples,[1] and welcomes the increased support by States for the Declaration;

4. *Encourages* States to adopt measures to pursue the objectives of the Declaration in consultation and cooperation with indigenous peoples;

5. *Decides* to convene, within existing resources, a one-day high-level meeting to commemorate the fifth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, to be held on 10 December 2012;

6. *Expresses its conviction* that a high-level meeting would contribute to raising awareness of the importance of the implementation of the Declaration for the realization of the rights of indigenous peoples around the world;

7. *Decides* that the meeting will be chaired by the President of the General Assembly, who, in closing the meeting, will present a summary of the discussions that will also serve as an input for the preparation of the high-level plenary meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples, to be held in 2014;

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[5] See A/66/288.

8. *Also decides that*, in order to promote a substantive and constructive dialogue, participants in the high-level meeting will include Member States, observers, representatives of entities of the United Nations system, experts and selected representatives of indigenous peoples' organizations, with representation of the seven sociocultural regions and non-governmental organizations that are active in the field of indigenous peoples;

9. *Requests* the Secretary-General, in consultation with Member States, relevant United Nations organizations and mechanisms and other stakeholders, including indigenous peoples' organizations, to submit to the General Assembly at its sixty-seventh session a report on the progress achieved in the implementation of the United Nations Declaration on the Rights of Indigenous Peoples in the five years since its adoption;

10. *Also requests* the Secretary-General to submit to the General Assembly, at its sixty-seventh session, a report on the progress of implementation of the present resolution, and decides to continue consideration of the question at its sixty-seventh session.

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Sixty-sixth session
Third Committee
Agenda item 69 (a)
Implementation of human rights instruments

Brazil: draft resolution

World Down Syndrome Day

The General Assembly,

Recalling the 2005 World Summit Outcome[1] and the United Nations Millennium Declaration,[2] as well as the outcomes of the major United Nations conferences and summits in the economic, social and related fields,

Recalling also the Convention on the Rights of Persons with Disabilities,[3] according to which persons with disabilities should enjoy a full and decent life, in conditions that ensure dignity, promote self-reliance and facilitate the person's active participation in the community and the full enjoyment of all human rights and fundamental freedoms on an equal basis with other persons, and by which States parties undertake to adopt immediate, effective and appropriate measures to raise awareness throughout society regarding persons with disabilities,

Affirming that ensuring and promoting the full realization of all human rights and fundamental freedoms for all persons with disabilities is critical to achieving internationally agreed development goals,

Aware that Down syndrome is a naturally occurring chromosomal arrangement that has always been a part of the human condition, being universally present across racial, gender and socio-economic lines, and affects approximately 1 in 800 births worldwide, causing intellectual disability and associated medical issues,

Deeply concerned by the prevalence and high rate of Down syndrome in persons in all regions of the world and the consequent development challenges in the areas of long-term health care, education, training and intervention programmes undertaken by Governments, non-governmental organizations and the private sector, as well as its considerable impact on families, communities and societies,

[1] See resolution 60/1.
[2] See resolution 55/2.
[3] Resolution 61/106, annex I.

Please recycle

Recalling that adequate access to health care, to early intervention programmes and to inclusive education, as well as appropriate research, are vital to the growth and development of the individual,

Recognizing the inherent dignity, worth and valuable contributions of persons with intellectual disabilities as promoters of the well-being and diversity of their communities, and the importance of their individual autonomy and independence, including the freedom to make their own choices,

1. *Decides* to designate 21 March as World Down Syndrome Day, to be observed every year beginning in 2012;

2. *Invites* all Member States, relevant organizations of the United Nations system and other international organizations, as well as civil society, including non-governmental organizations and the private sector, to observe World Down Syndrome Day in an appropriate manner, in order to raise public awareness of Down syndrome;

3. *Encourages* Member States to take measures to raise awareness throughout society, including at the family level, regarding persons with Down syndrome;

4. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States and United Nations organizations.

United Nations A/C.3/66/L.27/Rev.1

General Assembly

Distr.: Limited
1 November 2011

Original: English

Sixty-sixth session
Third Committee
Agenda item 69 (a)
Promotion and protection of human rights: implementation of human rights instruments

Argentina, Australia, Bangladesh, Belarus, Bolivia (Plurinational State of), Brazil, Dominican Republic, Egypt, Georgia, Germany, Guatemala, Iraq, Ireland, Israel, Jamaica, Malta, Panama, Peru, Poland, Portugal, Singapore, Slovenia, Syrian Arab Republic, Thailand, Turkey, Ukraine, United States of America and Uruguay: revised draft resolution

World Down Syndrome Day

The General Assembly,

Recalling the 2005 World Summit Outcome[1] and the United Nations Millennium Declaration,[2] as well as the outcomes of the major United Nations conferences and summits in the economic, social and related fields,

Recalling also the Convention on the Rights of Persons with Disabilities,[3] according to which persons with disabilities should enjoy a full and decent life, in conditions that ensure dignity, promote self-reliance and facilitate the person's active participation in the community and the full enjoyment of all human rights and fundamental freedoms on an equal basis with other persons, and by which States parties undertake to adopt immediate, effective and appropriate measures to raise awareness throughout society regarding persons with disabilities,

Affirming that ensuring and promoting the full realization of all human rights and fundamental freedoms for all persons with disabilities is critical to achieving internationally agreed development goals,

Aware that Down syndrome is a naturally occurring chromosomal arrangement that has always been a part of the human condition, exists in all regions across the globe and commonly results in variable effects on learning styles, physical characteristics or health,

[1] See resolution 60/1.
[2] See resolution 55/2.
[3] Resolution 61/106, annex I.

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Recalling that adequate access to health care, to early intervention programmes and to inclusive education, as well as appropriate research, are vital to the growth and development of the individual,

Recognizing the inherent dignity, worth and valuable contributions of persons with intellectual disabilities as promoters of the well-being and diversity of their communities, and the importance of their individual autonomy and independence, including the freedom to make their own choices,

1. *Decides* to designate 21 March as World Down Syndrome Day, to be observed every year beginning in 2012;

2. *Invites* all Member States, relevant organizations of the United Nations system and other international organizations, as well as civil society, including non-governmental organizations and the private sector, to observe World Down Syndrome Day in an appropriate manner, in order to raise public awareness of Down syndrome;

3. *Encourages* Member States to take measures to raise awareness throughout society, including at the family level, regarding persons with Down syndrome;

4. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States and United Nations organizations.

United Nations A/C.3/66/L.28

General Assembly

Distr.: Limited
18 October 2011

Original: English

Sixty-sixth session
Third Committee
Agenda item 69 (a)
Promotion and protection of human rights: implementation of human rights instruments

Albania, Argentina, Austria, Belgium, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Montenegro, Morocco, Netherlands, Norway, Peru, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: draft resolution

Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Reaffirming that no one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right under international law that must be respected under all circumstances, including in times of international or internal armed conflict or disturbance or any other public emergency, that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in relevant international instruments and that legal and procedural safeguards against such acts must not be subject to measures that would circumvent this right,

Recalling also that the prohibition of torture is a peremptory norm of international law and that international, regional and domestic courts have held the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law,

Recalling further the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or

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Punishment,[1] without prejudice to any international instrument or national legislation which contains or may contain provisions of wider application,

Emphasizing the importance of properly interpreting and implementing the obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment and of abiding strictly by the definition of torture contained in article 1 of the Convention,

Noting that, under the Geneva Conventions of 1949,[2] torture and inhuman treatment are a grave breach and that, under the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the Rome Statute of the International Criminal Court,[3] acts of torture can constitute crimes against humanity and, when committed in a situation of armed conflict, constitute war crimes,

Welcoming the entry into force of the International Convention for the Protection of All Persons from Enforced Disappearance,[4] the implementation of which will make a significant contribution to the prevention and prohibition of torture, including by prohibiting secret places of detention, and encouraging all States that have not ratified or acceded to the Convention to consider doing so,

Commending the persistent efforts of civil society organizations, including non-governmental organizations, national human rights institutions and national preventive mechanisms, and the considerable network of centres for the rehabilitation of victims of torture, to prevent and combat torture and to alleviate the suffering of victims of torture,

Deeply concerned with increasing acts of torture and other cruel, inhuman or degrading treatment or punishment committed against peaceful protesters,

1. *Condemns* all forms of torture and other cruel, inhuman or degrading treatment or punishment, including through intimidation, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all States to implement fully the absolute and non-derogable prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

2. *Emphasizes* that States must take persistent, determined and effective measures to prevent and combat all acts of torture and other cruel, inhuman or degrading treatment or punishment, stresses that all acts of torture must be made offences under domestic criminal law, and encourages States to prohibit under domestic law acts constituting cruel, inhuman or degrading treatment or punishment;

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[1] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[2] Ibid., vol. 75, Nos. 970-973.

[3] Ibid., vol. 2187, No. 38544.

[4] Resolution 61/177, annex.

3. *Welcomes* the establishment of national preventive mechanisms to prevent torture and other cruel, inhuman or degrading treatment or punishment, urges all States to consider establishing, or maintaining and enhancing, independent and effective mechanisms with qualified legal and other expertise to undertake effective monitoring visits to places of detention, inter alia with a view to preventing acts of torture or other cruel, inhuman or degrading treatment or punishment, and calls upon States parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[5] to fulfil their obligation to designate or establish truly independent and effective national preventive mechanisms;

4. *Emphasizes* the importance of States ensuring proper follow-up to the recommendations and conclusions of the relevant treaty bodies and mechanisms, including the Committee against Torture, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment;

5. *Condemns* any action or attempt by States or public officials to legalize, authorize or acquiesce in torture and other cruel, inhuman or degrading treatment or punishment under any circumstances, including on grounds of national security or through judicial decisions, and urges States to ensure accountability for all such acts;

6. *Stresses* that an independent, competent domestic authority must promptly, effectively and impartially investigate all allegations of torture or other cruel, inhuman or degrading treatment or punishment, as well as wherever there is reasonable ground to believe that such an act has been committed, and that those who encourage, order, tolerate or perpetrate such acts must be held responsible, brought to justice and punished in a manner commensurate with the severity of the offence, including the officials in charge of any place of detention or other place where persons are deprived of their liberty, where the prohibited act is found to have been committed;

7. *Recalls*, in this respect, the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Principles)[6] as a useful tool in efforts to prevent and combat torture and the updated set of principles for the protection and promotion of human rights through action to combat impunity;[7]

8. *Encourages* States to establish or maintain appropriate national processes to record allegations of torture and other cruel, inhuman or degrading treatment or punishment;

9. *Calls upon* all States to implement effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, particularly in places of detention and other places where persons are deprived of their liberty, including legal and procedural safeguards, as well as education and training of personnel who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment;

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[5] United Nations, *Treaty Series*, vol. 2375, No. 24841.

[6] Resolution 55/89, annex.

[7] See E/CN.4/2005/102/Add.1.

10. *Urges* States, as an important element in preventing and combating torture and other cruel, inhuman or degrading treatment or punishment, to ensure that no authority or official orders, applies, permits or tolerates any sanction or other prejudice against any person or organization for having been in contact with any national or international monitoring or preventive body active in the prevention and combating of torture and other cruel, inhuman or degrading treatment or punishment;

11. *Calls upon* all States to adopt a gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to gender-based violence;

12. *Calls upon* States to ensure that the rights of persons with disabilities, bearing in mind the Convention on the Rights of Persons with Disabilities,[8] are fully integrated into torture prevention and protection, and welcomes the efforts of the Special Rapporteur in this regard;

13. *Encourages* all States to ensure that persons convicted of torture or other cruel, inhuman or degrading treatment or punishment have no subsequent involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty and that persons charged with torture or other cruel, inhuman or degrading treatment or punishment have no involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty while such charges are pending;

14. *Emphasizes* that acts of torture in armed conflict are serious violations of international humanitarian law and in this regard constitute war crimes, that acts of torture can constitute crimes against humanity and that the perpetrators of all acts of torture must be prosecuted and punished;

15. *Stresses* the contribution of the International Criminal Court to ending impunity by seeking to ensure accountability and punishment of perpetrators of torture and other cruel, inhuman or degrading treatment, and encourages States that have not yet done so to consider ratifying or acceding as a matter of priority to the Rome Statute,[3] which now has 119 States parties;

16. *Strongly urges* States to ensure that no statement that is established to have been made as a result of torture is invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made, encourages States to extend that prohibition to statements made as a result of cruel, inhuman or degrading treatment or punishment, and recognizes that adequate corroboration of statements, including confessions, used as evidence in any proceedings constitutes one safeguard for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

17. *Stresses* that States must not punish personnel for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

18. *Urges* States not to expel, return ("refouler"), extradite or in any other way transfer a person to another State where there are substantial grounds for

[8] Resolution 61/106, annex I.

believing that the person would be in danger of being subjected to torture, stresses the importance of effective legal and procedural safeguards in this regard, and recognizes that diplomatic assurances, where used, do not release States from their obligations under international human rights, humanitarian and refugee law, in particular the principle of non-refoulement;

19. *Recalls* that, for the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations, including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights;

20. *Calls upon* States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[1] to fulfil their obligation to submit for prosecution or extradite those alleged to have committed acts of torture, and encourages other States to do likewise, bearing in mind the need to fight impunity;

21. *Stresses* that national legal systems must ensure that victims of torture or other cruel, inhuman or degrading treatment or punishment obtain redress without suffering any retribution for bringing complaints or giving evidence, are awarded fair and adequate compensation and receive appropriate social, psychological, medical and other relevant specialized rehabilitation, and urges States to establish, maintain, facilitate or support rehabilitation centres or facilities where victims of torture can receive such treatment and where effective measures for ensuring the safety of their staff and patients are taken;

22. *Recalls* its resolution 43/173 of 9 December 1988 on the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and in this context stresses that ensuring that any individual arrested or detained is promptly brought before a judge or other independent judicial officer in person and permitting prompt and regular medical care and legal counsel as well as visits by family members and independent monitoring mechanisms are effective measures for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

23. *Reminds* all States that prolonged incommunicado detention or detention in secret places is known to facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and dignity of the person and to ensure that secret places of detention and interrogation are abolished;

24. *Emphasizes* that conditions of detention must respect the dignity and human rights of detainees, highlights the importance of reflecting on this in efforts to promote respect for and protection of the rights of detainees, and notes in this regard concerns about solitary confinement;

25. *Calls upon* all States to take appropriate effective legislative, administrative, judicial and other measures to prevent and prohibit the production, trade, export, import and use of goods and equipment that have no practical use other than for the purpose of torture or other cruel, inhuman or degrading treatment or punishment;

26. *Urges* all States that have not yet done so to become parties to the Convention as a matter of priority, and calls upon States parties to give early consideration to signing and ratifying the Optional Protocol to the Convention;

27. *Urges* all States parties to the Convention that have not yet done so to make the declarations provided for in articles 21 and 22 concerning inter-State and individual communications, to consider the possibility of withdrawing their reservations to article 20 and to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 with a view to enhancing the effectiveness of the Committee as soon as possible;

28. *Urges* States parties to comply strictly with their obligations under the Convention, including, in view of the high number of reports not submitted in time, their obligation to submit reports in accordance with article 19 of the Convention, and invites States parties to incorporate a gender perspective and information concerning children and juveniles and persons with disabilities when submitting reports to the Committee;

29. *Welcomes* the work of the Committee and its report submitted in accordance with article 24 of the Convention,[9] recommends that the Committee continue to include information on the follow-up by States to its recommendations, and supports the Committee in its intention to further improve the effectiveness of its working methods;

30. *Invites* the Chairs of the Committee and of the Subcommittee to present oral reports on the work of the committees and to engage in an interactive dialogue with the General Assembly at its sixty-seventh session under the sub-item entitled "Implementation of human rights instruments";

31. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with her mandate established by the General Assembly in its resolution 48/141 of 20 December 1993, to continue to provide, at the request of States, advisory services for the prevention of torture and other cruel, inhuman or degrading treatment or punishment, including for the preparation of national reports to the Committee and for the establishment and operation of national preventive mechanisms, as well as technical assistance for the development, production and distribution of teaching material for this purpose;

32. *Takes note with appreciation* of the interim report of the Special Rapporteur,[10] and encourages the Special Rapporteur to continue to include in his recommendations proposals on the prevention and investigation of torture and other cruel, inhuman or degrading treatment or punishment, including its gender-based manifestations;

33. *Requests* the Special Rapporteur to continue to consider including in his report information on the follow-up by States to his recommendations, visits and communications, including progress made and problems encountered, and on other official contacts;

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[9] To be issued as *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 44* (A/66/44).

[10] See A/66/268.

34. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of his task, to supply all necessary information requested by the Special Rapporteur, to fully and expeditiously respond to and follow up on his urgent appeals, to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries and to enter into a constructive dialogue with the Special Rapporteur on requested visits to their countries as well as with respect to the follow-up to his recommendations;

35. *Stresses* the need for the continued regular exchange of views among the Committee, the Subcommittee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuance of cooperation with relevant United Nations programmes, notably the United Nations crime prevention and criminal justice programme, with regional organizations and mechanisms, as appropriate, and with civil society organizations, including non-governmental organizations, with a view to enhancing further their effectiveness and cooperation on issues relating to the prevention and eradication of torture, inter alia, by improving their coordination;

36. *Recognizes* the global need for international assistance to victims of torture, stresses the importance of the work of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, appeals to all States and organizations to contribute annually to the Fund, preferably with a substantial increase in the level of contributions, and encourages contributions to the Special Fund established by the Optional Protocol to help finance the implementation of the recommendations made by the Subcommittee as well as education programmes of the national preventive mechanisms;

37. *Requests* the Secretary-General to continue to transmit to all States the appeals of the General Assembly for contributions to the Funds and to include the Funds on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

38. *Also requests* the Secretary-General to submit to the Human Rights Council and to the General Assembly at its sixty-seventh session a report on the operations of the Funds;

39. *Further requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in preventing and combating torture and assisting victims of torture or other cruel, inhuman or degrading treatment or punishment, including, in particular, the Committee, the Subcommittee and the Special Rapporteur, commensurate with the strong support expressed by Member States for preventing and combating torture and assisting victims of torture, in order to enable them to discharge their mandates in a comprehensive, sustained and effective manner and taking fully into account the specific nature of their mandates;

40. *Calls upon* all States, the Office of the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as well as relevant intergovernmental and civil society organizations, including non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture;

41. *Decides* to consider at its sixty-seventh session the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture and the Special Fund established by the Optional Protocol, the report of the Committee against Torture and the interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

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General Assembly

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8 November 2011

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Sixty-sixth session
Third Committee
Agenda item 69 (a)
Promotion and protection of human rights: implementation of human rights instruments

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Belize, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Micronesia (Federated States of), Mongolia, Montenegro, Morocco, Netherlands, New Zealand, Norway, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: revised draft resolution

Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Reaffirming that no one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right under international law, including international human rights law and international humanitarian law, that must be respected and protected under all circumstances, including in times of international or internal armed conflict or disturbance or any other public emergency, that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in relevant international instruments and that legal and procedural safeguards against such acts must not be subject to measures that would circumvent this right,

Recalling also that the prohibition of torture is a peremptory norm of international law and that international, regional and domestic courts have held the

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prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law,

Recalling further the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[1] without prejudice to any international instrument or national legislation which contains or may contain provisions of wider application,

Emphasizing the importance of properly interpreting and implementing the obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment and of abiding strictly by the definition of torture contained in article 1 of the Convention,

Noting that, under the Geneva Conventions of 1949,[2] torture and inhuman treatment are a grave breach and that, under the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the Rome Statute of the International Criminal Court,[3] acts of torture can constitute crimes against humanity and, when committed in a situation of armed conflict, constitute war crimes,

Welcoming the entry into force of the International Convention for the Protection of All Persons from Enforced Disappearance,[4] the implementation of which will make a significant contribution to the prevention and prohibition of torture, including by prohibiting secret places of detention, and encouraging all States that have not done so to consider signing, ratifying or acceding to the Convention,

Commending the persistent efforts of civil society organizations, including non-governmental organizations, national human rights institutions and national preventive mechanisms, and the considerable network of centres for the rehabilitation of victims of torture, to prevent and combat torture and to alleviate the suffering of victims of torture,

Deeply concerned about all acts which can amount to torture and other cruel, inhuman or degrading treatment or punishment committed against peaceful protesters in all situations and all regions of the world,

1. *Condemns* all forms of torture and other cruel, inhuman or degrading treatment or punishment, including through intimidation, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all States to implement fully the absolute and non-derogable prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

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[1] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[2] Ibid., vol. 75, Nos. 970-973.

[3] Ibid., vol. 2187, No. 38544.

[4] Resolution 61/177, annex.

2. *Emphasizes* that States must take persistent, determined and effective measures to prevent and combat all acts of torture and other cruel, inhuman or degrading treatment or punishment, stresses that all acts of torture must be made offences under domestic criminal law, and encourages States to prohibit under domestic law acts constituting cruel, inhuman or degrading treatment or punishment;

3. *Welcomes* the establishment of national preventive mechanisms to prevent torture and other cruel, inhuman or degrading treatment or punishment, urges States to consider establishing, appointing, maintaining or enhancing independent and effective mechanisms with qualified expertise to undertake monitoring visits to places of detention, inter alia with a view to preventing acts of torture or other cruel, inhuman or degrading treatment or punishment, and calls upon States parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[5] to fulfil their obligation to designate or establish truly independent and effective national preventive mechanisms;

4. *Emphasizes* the importance of States ensuring proper follow-up to the recommendations and conclusions of the relevant treaty bodies and mechanisms, including the Committee against Torture, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment;

5. *Condemns* any action or attempt by States or public officials to legalize, authorize or acquiesce in torture and other cruel, inhuman or degrading treatment or punishment under any circumstances, including on grounds of national security or through judicial decisions, and urges States to ensure accountability of those responsible for all such acts;

6. *Stresses* that an independent, competent domestic authority must promptly, effectively and impartially investigate all allegations of torture or other cruel, inhuman or degrading treatment or punishment, as well as wherever there is reasonable ground to believe that such an act has been committed, and that those who encourage, order, tolerate or perpetrate such acts must be held responsible, brought to justice and punished in a manner commensurate with the severity of the offence, including the officials in charge of any place of detention, or other place where persons are deprived of their liberty, where the prohibited act is found to have been committed;

7. *Recalls*, in this respect, the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Principles)[6] as a useful tool in efforts to prevent and combat torture and the updated set of principles for the protection and promotion of human rights through action to combat impunity;[7]

8. *Encourages* States to consider establishing or maintaining appropriate national processes to record allegations of torture and other cruel, inhuman or degrading treatment or punishment;

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[5] United Nations, *Treaty Series*, vol. 2375, No. 24841.

[6] Resolution 55/89, annex.

[7] See E/CN.4/2005/102/Add.1.

9. *Calls upon* all States to implement effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, particularly in places of detention and other places where persons are deprived of their liberty, including legal and procedural safeguards, as well as education and training of personnel who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment;

10. *Urges* States, as an important element in preventing and combating torture and other cruel, inhuman or degrading treatment or punishment, to ensure that no authority or official orders, applies, permits or tolerates any sanction or other prejudice against any person or organization for having been in contact with any national or international monitoring or preventive body active in the prevention and combating of torture and other cruel, inhuman or degrading treatment or punishment;

11. *Calls upon* all States to adopt a gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to gender-based violence;

12. *Calls upon* States to ensure that the rights of persons with disabilities, bearing in mind the Convention on the Rights of Persons with Disabilities,[8] are fully integrated into torture prevention and protection, and welcomes the efforts of the Special Rapporteur in this regard;

13. *Encourages* all States to ensure that persons convicted of torture or other cruel, inhuman or degrading treatment or punishment have no subsequent involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty and that persons charged with torture or other cruel, inhuman or degrading treatment or punishment have no involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty while such charges are pending;

14. *Emphasizes* that acts of torture in armed conflict are serious violations of international humanitarian law and in this regard constitute war crimes, that acts of torture can constitute crimes against humanity and that the perpetrators of all acts of torture must be prosecuted and punished, and in this regard acknowledges the efforts of the International Criminal Court to end impunity by seeking to ensure accountability and punishment of perpetrators of such acts, in accordance with the Rome Statute,[3] and encourages States that have not yet done so to consider ratifying or acceding to the Rome Statute;

15. *Strongly urges* States to ensure that no statement that is established to have been made as a result of torture is invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made, encourages States to extend that prohibition to statements made as a result of cruel, inhuman or degrading treatment or punishment, and recognizes that adequate corroboration of statements, including confessions, used as evidence in any proceedings constitutes one safeguard for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

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[8] Resolution 61/106, annex I.

16. *Stresses* that States must not punish personnel for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

17. *Urges* States not to expel, return ("refouler"), extradite or in any other way transfer a person to another State where there are substantial grounds for believing that the person would be in danger of being subjected to torture, stresses the importance of effective legal and procedural safeguards in this regard, and recognizes that diplomatic assurances, where used, do not release States from their obligations under international human rights, humanitarian and refugee law, in particular the principle of non-refoulement;

18. *Recalls* that, for the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations, including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights;

19. *Calls upon* States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[1] to fulfil their obligation to submit for prosecution or extradite those alleged to have committed acts of torture, and encourages other States to do likewise, bearing in mind the need to fight impunity;

20. *Stresses* that national legal systems must ensure that victims of torture or other cruel, inhuman or degrading treatment or punishment obtain redress without suffering any retribution for bringing complaints or giving evidence, have access to justice, are awarded fair and adequate compensation and receive appropriate social, psychological, medical and other relevant specialized rehabilitation, and urges States to establish, maintain, facilitate or support rehabilitation centres or facilities where victims of torture can receive such treatment and where effective measures for ensuring the safety of their staff and patients are taken;

21. *Recalls* its resolution 43/173 of 9 December 1988 on the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and in this context stresses that ensuring that any individual arrested or detained is promptly brought before a judge or other independent judicial officer in person and permitting prompt and regular medical care and legal counsel as well as visits by family members and independent monitoring mechanisms are effective measures for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

22. *Reminds* all States that prolonged incommunicado detention or detention in secret places is known to facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and dignity of the person and to ensure that secret places of detention and interrogation are abolished;

23. *Emphasizes* that conditions of detention must respect the dignity and human rights of detainees, highlights the importance of reflecting on this in efforts to promote respect for and protection of the rights of detainees, and notes in this regard concerns about solitary confinement when it amounts to torture or other cruel, inhuman or degrading treatment or punishment;

24. *Calls upon* all States to take appropriate effective legislative, administrative, judicial and other measures to prevent and prohibit the production, trade, export, import and use of equipment that has no practical use other than for the purpose of torture or other cruel, inhuman or degrading treatment or punishment;

25. *Urges* all States that have not yet done so to become parties to the Convention as a matter of priority, and calls upon States parties to give early consideration to signing and ratifying the Optional Protocol to the Convention;

26. *Urges* all States parties to the Convention that have not yet done so to make the declarations provided for in articles 21 and 22 concerning inter-State and individual communications, to consider the possibility of withdrawing their reservations to article 20 and to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 with a view to enhancing the effectiveness of the Committee as soon as possible;

27. *Urges* States parties to comply strictly with their obligations under the Convention, including, in view of the high number of reports not submitted in time, their obligation to submit reports in accordance with article 19 of the Convention, and invites States parties to incorporate a gender perspective and information concerning children and juveniles and persons with disabilities when submitting reports to the Committee;

28. *Welcomes* the work of the Committee and its report submitted in accordance with article 24 of the Convention,[9] recommends that the Committee continue to include information on the follow-up by States to its recommendations, and supports the Committee in its intention to further improve the effectiveness of its working methods;

29. *Invites* the Chairs of the Committee and of the Subcommittee to present oral reports on the work of the committees and to engage in an interactive dialogue with the General Assembly at its sixty-seventh session under the sub-item entitled "Implementation of human rights instruments";

30. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with her mandate established by the General Assembly in its resolution 48/141 of 20 December 1993, to continue to provide, at the request of States, advisory services for the prevention of torture and other cruel, inhuman or degrading treatment or punishment, including for the preparation of national reports to the Committee and for the establishment and operation of national preventive mechanisms, as well as technical assistance for the development, production and distribution of teaching material for this purpose;

31. *Takes note with appreciation* of the interim report of the Special Rapporteur,[10] and encourages the Special Rapporteur to continue to include in his recommendations proposals on the prevention and investigation of torture and other cruel, inhuman or degrading treatment or punishment, including its gender-based manifestations;

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[9] To be issued as *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 44* (A/66/44).

[10] See A/66/268.

32. *Requests* the Special Rapporteur to continue to consider including in his report information on the follow-up by States to his recommendations, visits and communications, including progress made and problems encountered, and on other official contacts;

33. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of his task, to supply all necessary information requested by the Special Rapporteur, to fully and expeditiously respond to and follow up on his urgent appeals, to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries and to enter into a constructive dialogue with the Special Rapporteur on requested visits to their countries as well as with respect to the follow-up to his recommendations;

34. *Stresses* the need for the continued regular exchange of views among the Committee, the Subcommittee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuance of cooperation with relevant United Nations programmes, notably the United Nations crime prevention and criminal justice programme, with regional organizations and mechanisms, as appropriate, and with civil society organizations, including non-governmental organizations, with a view to enhancing further their effectiveness and cooperation on issues relating to the prevention and eradication of torture, inter alia, by improving their coordination;

35. *Recognizes* the global need for international assistance to victims of torture, stresses the importance of the work of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, appeals to all States and organizations to contribute annually to the Fund, preferably with a substantial increase in the level of contributions, and encourages contributions to the Special Fund established by the Optional Protocol to help finance the implementation of the recommendations made by the Subcommittee as well as education programmes of the national preventive mechanisms;

36. *Requests* the Secretary-General to continue to transmit to all States the appeals of the General Assembly for contributions to the Funds and to include the Funds on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

37. *Also requests* the Secretary-General to submit to the Human Rights Council and to the General Assembly at its sixty-seventh session a report on the operations of the Funds;

38. *Further requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in preventing and combating torture and assisting victims of torture or other cruel, inhuman or degrading treatment or punishment, including, in particular, the Committee, the Subcommittee and the Special Rapporteur, commensurate with the strong support expressed by Member States for preventing and combating torture and assisting victims of torture, in order to enable them to discharge their mandates in a comprehensive, sustained and effective manner and taking fully into account the specific nature of their mandates;

39. *Calls upon* all States, the Office of the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as

well as relevant intergovernmental and civil society organizations, including non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture;

40. *Decides* to consider at its sixty-seventh session the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture and the Special Fund established by the Optional Protocol, the report of the Committee against Torture and the interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

United Nations A/C.3/66/L.29

General Assembly

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18 October 2011

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Sixty-sixth session
Third Committee
Agenda item 69 (a)
Promotion and protection of human rights: implementation of human rights instruments

Argentina, Australia, Bolivia (Plurinational State of), Brazil, Chile, Costa Rica, Cyprus, Denmark, Ecuador, Finland, Guatemala, Guyana, Haiti, Honduras, Hungary, Jamaica, Jordan, Latvia, Luxembourg, Mexico, Morocco, New Zealand, Nicaragua, Nigeria, Norway, Peru, Sierra Leone, Slovakia, Spain, Sweden, Thailand: draft resolution

Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

The General Assembly,

Recalling its previous relevant resolutions, the most recent of which was resolution 64/154 of 18 December 2009, as well as relevant resolutions of the Human Rights Council, the Commission for Social Development and the Commission on Human Rights,

Noting the request of the Committee on the Rights of Persons with Disabilities that the General Assembly authorize an extension of its meeting time,

Noting also that the Committee has a unique operative environment and currently only meets for two sessions of one week a year,

1. *Welcomes* the fact that, since the opening for signature of the Convention on the Rights of Persons with Disabilities[1] and the Optional Protocol thereto[2] on 30 March 2007, one hundred and forty-nine States have signed and one hundred and three States have ratified the Convention and ninety States have signed and seventy-two States have ratified the Optional Protocol, and that one regional integration organization has ratified the Convention;

2. *Calls upon* those States that have not yet done so to consider signing and ratifying the Convention and the Optional Protocol as a matter of priority;

[1] Resolution 61/106, annex I.
[2] Ibid., annex II.

Please recycle

3. *Welcomes* the holding of the third and fourth sessions of the Conference of States Parties to the Convention and the work of the Committee on the Rights of Persons with Disabilities;

4. *Decides* to authorize the Committee to meet for an additional week per year in order to address the reports awaiting consideration, and also decides to review, during the sixty-seventh session of the General Assembly, the extension of the Committee's sessions;

5. *Invites* the Chairperson of the Committee to address and engage in an interactive dialogue with the General Assembly at its sixty-seventh and sixty-eighth sessions, under the item entitled "Promotion and protection of human rights", as a way to enhance communication between the Assembly and the Committee;

6. *Welcomes* the report of the Secretary-General[1] and the activities undertaken in support of the Convention;

7. *Encourages* the Inter-Agency Support Group on the Convention to continue its work to mainstream the Convention throughout the United Nations system through its joint strategy and action plan approved in 2010, and calls upon the Department of Economic and Social Affairs and the Office of the United Nations High Commissioner for Human Rights to continue strengthening their cooperation in this regard;

8. *Invites* the Secretary-General to intensify efforts to assist States to become parties to the Convention and the Optional Protocol, including by providing assistance with a view to achieving universal adherence;

9. *Requests* the Secretary-General to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, taking into account relevant provisions of the Convention, in particular when undertaking renovations, including interim arrangements;

10. *Also requests* the Secretary-General to take further actions to promote the rights of persons with disabilities in the United Nations system in accordance with the Convention, including the retention and recruitment of persons with disabilities;

11. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations, to continue to strengthen efforts undertaken to disseminate accessible information on the Convention and the Optional Protocol, including to children and young people to promote their understanding, and to assist States parties in implementing their obligations under those instruments;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the status of the Convention and the Optional Protocol, and the implementation of the present resolution.

[1] A/66/121.

United Nations A/C.3/66/L.30

General Assembly

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27 October 2011

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Sixty-sixth session
Third Committee
Agenda item 68
Right of peoples to self-determination

Albania, Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Bolivia (Plurinational State of), Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, China, Comoros, Congo, Côte d'Ivoire, Ecuador, Egypt, Eritrea, Gabon, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Malawi, Malaysia, Mali, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Thailand, Timor-Leste, Togo, United Arab Emirates, Venezuela (Bolivarian Republic of) and Zimbabwe: draft resolution

Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,[1] as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

[1] Resolution 2200 A (XXI), annex.

Please recycle

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on Human Rights at its sixty-first[2] and previous sessions,

Reaffirming its previous resolutions on the universal realization of the right of peoples to self-determination, including resolution 65/201 of 21 December 2010,

Reaffirming also its resolution 55/2 of 8 September 2000, containing the United Nations Millennium Declaration, and recalling its resolution 60/1 of 16 September 2005, containing the 2005 World Summit Outcome, which, inter alia, upheld the right to self-determination of peoples under colonial domination and foreign occupation,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,[3]

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, in particular the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. *Deplores* the plight of millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and with honour;

5. *Requests* the Human Rights Council to continue to give special attention to violations of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on the question to the General Assembly at its sixty-seventh session under the item entitled "Right of peoples to self-determination".

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[2] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[3] A/66/172.

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United Nations A/C.3/66/L.31

General Assembly

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27 October 2011

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Sixty-sixth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Brazil, India and South Africa: draft resolution

The universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms

The General Assembly,

Reaffirming the purposes and principles set out in the Charter of the United Nations, including developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all,

Acknowledging that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being, and recognizing that development, peace and security and human rights are interlinked and mutually reinforcing,

Reaffirming the Universal Declaration of Human Rights[1] and the Vienna Declaration and Programme of Action,[2] and recalling the International Covenant on Civil and Political Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[3] and other human rights instruments,

Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can be achieved only if conditions are created whereby

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.
[3] See resolution 2200 A (XXI), annex.

Please recycle

everyone may enjoy her or his civil and political rights as well as her or his economic, social and cultural rights,

Recognizing that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights,

Recalling that the work of the Human Rights Council is to be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development,

Stressing the importance of taking necessary steps to ensure equal and fair treatment for all human rights,

1. *Reaffirms* that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights, civil, political, economic, social and cultural rights, including the right to development, must be treated in a fair and equal manner, on the same footing and with the same emphasis;

2. *Recalls*, in this regard, the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues;

3. *Stresses* that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

4. *Acknowledges* that good governance and the rule of law at the national and international levels are essential for sustained economic growth, sustainable development and the eradication of poverty and hunger;

5. *Stresses* that the existence of widespread extreme poverty inhibits the full and effective enjoyment of all human rights, and reaffirms that States should take steps to eliminate obstacles to development resulting from failure to observe civil and political rights, as well as economic, social and cultural rights;

6. *Encourages* States to integrate the promotion and protection of all human rights into national policies, including those for international cooperation, taking into account the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights;

7. *Strongly appeals* to all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights;

8. *Urges* the United Nations system to take into account the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights when mainstreaming human rights into its activities, with a view to ensuring equal treatment and practical enjoyment of all human rights;

9. *Invites* civil society actors, including non-governmental organizations, to take into account the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights within their activities relating to the promotion and protection of all human rights;

10. *Invites* the United Nations High Commissioner for Human Rights, treaty bodies, special procedures of the Human Rights Council and other mandate holders

to continue and enhance their efforts to take into account the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights in the fulfilment of their mandates;

11. *Requests* the Secretary-General to submit a report to the General Assembly, at its sixty-eighth session, on concrete actions that would increase the attention paid to the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms.

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Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina, Brazil, Chile, Côte d'Ivoire, Guatemala, India, Nigeria, Panama and South Africa: revised draft resolution

The universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms

The General Assembly,

Reaffirming the purposes and principles set out in the Charter of the United Nations, including developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all,

Acknowledging that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being, and recognizing that development, peace and security and human rights are interlinked and mutually reinforcing,

Reaffirming the Universal Declaration of Human Rights[1] and the Vienna Declaration and Programme of Action,[2] and recalling the International Covenant on Civil and Political Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[3] and other human rights instruments,

Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can be achieved only if conditions are created whereby

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.
[3] See resolution 2200 A (XXI), annex.

Please recycle

everyone may enjoy her or his civil and political rights as well as her or his economic, social and cultural rights,

Recalling that the Vienna Declaration and Programme of Action reaffirmed the right to development, as established in the Declaration on the Right to Development,[4] as a universal and inalienable right and an integral part of fundamental human rights, and the human person as the central subject of development, and recognizing that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights,

Recalling that the work of the Human Rights Council is to be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development,

Recognizing the efforts of the international community to ensure the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of, and to give equal and fair treatment to, all human rights and fundamental freedoms, while acknowledging the important role played by enhanced international cooperation in the field of human rights in this regard,

1. *Reaffirms* that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights, civil, political, economic, social and cultural rights must be treated in a fair and equal manner, on the same footing and with the same emphasis;

2. *Recalls*, in this regard, the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues;

3. *Stresses* that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

4. *Acknowledges* that good governance and the rule of law at the national and international levels are essential for sustained economic growth, sustainable development and the eradication of poverty and hunger;

5. *Stresses* that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights, and reaffirms that States should take steps to eliminate obstacles to development resulting from failure to observe civil and political rights, as well as economic, social and cultural rights;

6. *Encourages* States to take into account the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights when integrating the promotion and protection of all human rights into relevant national policies and when promoting international cooperation in the field of human rights, while recalling that the primary responsibility for promoting and protecting human rights rests with the State;

7. *Encourages* the United Nations system to continue to improve its efforts to take into account the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights when mainstreaming human rights

[4] Resolution 41/128, annex.

into its activities, with a view to contributing to the full enjoyment of, universal respect for and observance of all human rights and fundamental freedoms;

8. *Recognizes* the positive contribution of all relevant stakeholders, including civil society, to promoting the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights, and encourages the continuation of efforts in this regard, as appropriate to their activities;

9. *Encourages* the United Nations High Commissioner for Human Rights, treaty bodies, special procedures of the Human Rights Council and other mandate holders to continue to improve their efforts to take into account the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights in the fulfilment of their mandates;

10. *Requests* the Secretary-General to submit a report to the General Assembly, at its sixty-eighth session, on the implementation of the present resolution.

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Sixty-sixth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Cuba:* draft resolution

Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993[1] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its adoption of the United Nations Millennium Declaration on 8 September 2000[2] and of its resolution 64/171 of 18 December 2009, Human Rights Council resolution 16/22 of 25 March 2011[3] and the resolutions of the Commission on Human Rights on the enhancement of international cooperation in the field of human rights,

Recalling also the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, the Durban Review Conference, held at Geneva from 20 to 24 April 2009, and the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

[1] A/CONF.157/24 (Part I), chap. III.

[2] See resolution 55/2.

[3] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. II, sect. A.

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Declaration and Programme of Action,[4] and their role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Recognizing also that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[5]

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

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[4] Resolution 66/3.

[5] See E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. II, sect. A.

6. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

8. *Emphasizes* the role of international cooperation in support of national efforts and in increasing the capacities of Member States in the field of human rights through, inter alia, the enhancement of their cooperation with human rights mechanisms, including through the provision of technical assistance, upon the request and in accordance with the priorities set by the States concerned;

9. *Calls upon* Member States, the specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

10. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

11. *Requests* the Secretary-General, in collaboration with the United Nations High Commissioner for Human Rights, to consult States and intergovernmental and non-governmental organizations on ways and means, as well as obstacles and challenges and possible proposals to overcome them, for the enhancement of international cooperation and dialogue in the United Nations human rights machinery, including the Human Rights Council;

12. *Decides* to continue its consideration of the question at its sixty-seventh session.

United Nations A/C.3/66/L.33

General Assembly

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Sixty-sixth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Cuba:* draft resolution

Promotion of equitable geographical distribution in the membership of the human rights treaty bodies

The General Assembly,

Recalling its previous resolutions on this question,

Reaffirming the importance of the goal of universal ratification of the United Nations human rights instruments,

Welcoming the significant increase in the number of ratifications of United Nations human rights instruments, which has especially contributed to their universality,

Reiterating the importance of the effective functioning of treaty bodies established pursuant to United Nations human rights instruments for the full and effective implementation of those instruments,

Recalling that, with regard to the election of the members of the human rights treaty bodies, the General Assembly as well as the former Commission on Human Rights recognized the importance of giving consideration in their membership to equitable geographical distribution, gender balance and representation of the principal legal systems and of bearing in mind that the members shall be elected and shall serve in their personal capacity, and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights,

Reaffirming the significance of national and regional particularities and various historical, cultural and religious backgrounds, as well as of different political, economic and legal systems,

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

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Recognizing that the United Nations pursues multilingualism as a means of promoting, protecting and preserving diversity of languages and cultures globally and that genuine multilingualism promotes unity in diversity and international understanding,

Recalling that the General Assembly as well as the former Commission on Human Rights encouraged States parties to United Nations human rights treaties, individually and through meetings of States parties, to consider how to give better effect, inter alia, to the principle of equitable geographical distribution in the membership of treaty bodies,

Expressing concern at the regional imbalance in the current composition of the membership of some of the human rights treaty bodies,

Reaffirming the importance of increasing efforts to address that imbalance,

Noting in particular that the status quo tends to be detrimental to the election of experts from some regional groups, in particular the African, Asian, Latin American and Caribbean and Eastern European groups,

Convinced that the goal of equitable geographical distribution in the membership of human rights treaty bodies is perfectly compatible and can be fully realized and achieved in harmony with the need to ensure gender balance and the representation of the principal legal systems in those bodies and the high moral character, acknowledged impartiality and recognized competence in the field of human rights of their members,

1. *Reiterates* that the States parties to the United Nations human rights instruments should take into account, in their nomination of members to the human rights treaty bodies, that these committees shall be composed of persons of high moral character and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of some persons having legal experience, and to equal representation of women and men, and that members shall serve in their personal capacity, and also reiterates that, in the elections to the human rights treaty bodies, consideration shall be given to equitable geographical distribution of membership and to the representation of the different forms of civilization and of the principal legal systems;

2. *Encourages* the States parties to the United Nations human rights instruments to consider and adopt concrete actions, inter alia, the possible establishment of quota distribution systems by geographical region for the election of the members of the treaty bodies, thereby ensuring the paramount objective of equitable geographical distribution in the membership of those human rights bodies;

3. *Urges* the States parties to the United Nations human rights instruments, including the bureau members, to include this matter in the agenda of each meeting and/or Conference of States Parties to those instruments in order to initiate a debate on ways and means to ensure equitable geographical distribution in the membership of the human rights treaty bodies, based on previous recommendations of the Commission on Human Rights and the Economic and Social Council and the provisions of the present resolution;

4. *Recommends*, when considering the possible establishment of a quota by region for the election of the membership of each treaty body, the introduction of flexible procedures that encompass the following criteria:

(a) Each of the five regional groups established by the General Assembly must be assigned a quota of the membership of each treaty body in equivalent proportion to the number of States parties to the instrument that it represents;

(b) There must be provision for periodic revisions that reflect the relative changes in the geographical distribution of States parties;

(c) Automatic periodic revisions should be envisaged in order to avoid amending the text of the instrument when the quotas are revised;

5. *Stresses* that the process needed to achieve the goal of equitable geographical distribution in the membership of human rights treaty bodies can contribute to raising awareness of the importance of gender balance, the representation of the principal legal systems and the principle that the members of the treaty bodies shall be elected and shall serve in their personal capacity, and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights;

6. *Requests* the Chairs of the human rights treaty bodies to consider at their next meeting the content of the present resolution and to submit, through the United Nations High Commissioner for Human Rights, specific recommendations for the achievement of the goal of equitable geographical distribution in the membership of the human rights treaty bodies, as well as an update on the implementation of the present resolution in their respective bodies;

7. *Requests* the High Commissioner to submit concrete recommendations on the implementation of the present resolution, and requests the Secretary-General to submit a comprehensive report in this regard, to the General Assembly at its sixty-eighth session;

8. *Decides* to continue its consideration of the question at its sixty-eighth session under the item entitled "Promotion and protection of human rights".

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Cuba:* draft resolution

Human rights and cultural diversity

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2] as well as other pertinent human rights instruments,

Recalling also its resolutions 54/160 of 17 December 1999, 55/91 of 4 December 2000, 57/204 of 18 December 2002, 58/167 of 22 December 2003, 60/167 of 16 December 2005, 62/155 of 18 December 2007 and 64/174 of 18 December 2009, and recalling further its resolutions 54/113 of 10 December 1999, 55/23 of 13 November 2000 and 60/4 of 20 October 2005 concerning the United Nations Year of Dialogue among Civilizations,

Noting that numerous instruments within the United Nations system promote cultural diversity, as well as the conservation and development of culture, in particular the Declaration of the Principles of International Culture Cooperation proclaimed on 4 November 1966 by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its fourteenth session,[3]

Taking note of the report of the Secretary-General,[4]

Recalling that, as stated in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Fourteenth Session, Paris, 1966, Resolutions*.

[4] A/66/161.

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Charter of the United Nations, contained in the annex to its resolution 2625 (XXV) of 24 October 1970, States have the duty to cooperate with one another, irrespective of the differences in their political, economic and social systems, in the various spheres of international relations, in the promotion of universal respect for and observance of human rights and fundamental freedoms for all, and in the elimination of all forms of racial discrimination and all forms of religious intolerance,

Welcoming the adoption of the Global Agenda for Dialogue among Civilizations by its resolution 56/6 of 9 November 2001,

Welcoming also the contribution of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, and the High-level Meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, held on 22 September 2011, to the promotion of respect for cultural diversity,

Welcoming further the Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization,[5] together with its Action Plan,[6] adopted on 2 November 2001 by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its thirty-first session, in which member States invited the United Nations system and other intergovernmental and non-governmental organizations concerned to cooperate with the United Nations Educational, Scientific and Cultural Organization in the promotion of the principles set forth in the Declaration and its Action Plan with a view to enhancing the synergy of actions in favour of cultural diversity,

Taking note of the Ministerial Meeting on Human Rights and Cultural Diversity of the Movement of Non-Aligned Countries, held in Tehran on 3 and 4 September 2007,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Taking into account that a culture of peace actively fosters non-violence and respect for human rights and strengthens solidarity among peoples and nations and dialogue between cultures,

Recognizing that all cultures and civilizations share a common set of universal values,

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[5] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-first Session, Paris, 15 October-3 November 2001*, vol. 1 and corrigendum, *Resolutions*, chap. V, resolution 25, annex I.

[6] Ibid., annex II.

Recognizing also that the promotion of the rights of indigenous people and their cultures and traditions will contribute to the respect for and observance of cultural diversity among all peoples and nations,

Considering that tolerance of cultural, ethnic, religious and linguistic diversities, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred and violence among peoples and nations throughout the world,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, and convinced that, in their rich variety and diversity, and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind,

Convinced that the promotion of cultural pluralism and tolerance towards and dialogue among various cultures and civilizations would contribute to the efforts of all peoples and nations to enrich their cultures and traditions by engaging in a mutually beneficial exchange of knowledge and intellectual, moral and material achievements,

Acknowledging the diversity of the world, recognizing that all cultures and civilizations contribute to the enrichment of humankind, acknowledging the importance of respect and understanding for religious and cultural diversity throughout the world, and, in order to promote international peace and security, committing itself to advancing human welfare, freedom and progress everywhere, as well as to encouraging tolerance, respect, dialogue and cooperation among different cultures, civilizations and peoples,

1. *Affirms* the importance for all peoples and nations to hold, develop and preserve their cultural heritage and traditions in a national and international atmosphere of peace, tolerance and mutual respect;

2. *Emphasizes* the important contribution of culture to development and the achievement of national development objectives and internationally agreed development goals, including the Millennium Development Goals;

3. *Welcomes* the adoption on 8 September 2000 of the United Nations Millennium Declaration,[7] in which Member States consider, inter alia, that tolerance is one of the fundamental values essential to international relations in the twenty-first century and that it should include the active promotion of a culture of peace and dialogue among civilizations, with human beings respecting one another in all their diversity of belief, culture and language, neither fearing nor repressing differences within and between societies but cherishing them as a precious asset of humanity;

4. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

5. *Affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

[7] See resolution 55/2.

6. *Expresses its determination* to prevent and mitigate cultural homogenization in the context of globalization, through increased intercultural exchange guided by the promotion and protection of cultural diversity;

7. *Affirms* that intercultural dialogue essentially enriches the common understanding of human rights and that the benefits to be derived from the encouragement and development of international contacts and cooperation in the cultural fields are important;

8. *Welcomes* the recognition at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance of the necessity of respecting and maximizing the benefits of diversity within and among all nations in working together to build a harmonious and productive future by putting into practice and promoting values and principles such as justice, equality and non-discrimination, democracy, fairness and friendship, tolerance and respect within and among communities and nations, in particular through public information and educational programmes to raise awareness and understanding of the benefits of cultural diversity, including programmes in which the public authorities work in partnership with international and non-governmental organizations and other sectors of civil society;

9. *Recognizes* that respect for cultural diversity and the cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural background, advancing the application and enjoyment of universally accepted human rights throughout the world and fostering stable, friendly relations among peoples and nations worldwide;

10. *Emphasizes* that the promotion of cultural pluralism and tolerance at the national, regional and international levels is important for enhancing respect for cultural rights and cultural diversity;

11. *Also emphasizes* that tolerance and respect for diversity facilitate the universal promotion and protection of human rights, including gender equality and the enjoyment of all human rights by all, and underlines the fact that tolerance and respect for cultural diversity and the universal promotion and protection of human rights are mutually supportive;

12. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

13. *Urges* States to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic institutions so that they are more fully participatory and avoid marginalization and exclusion of, and discrimination against, specific sectors of society;

14. *Calls upon* States, international organizations and United Nations agencies and invites civil society, including non-governmental organizations, to recognize and promote respect for cultural diversity for the purpose of advancing the objectives of peace, development and universally accepted human rights;

15. *Stresses* the necessity of freely using the media and new information and communications technologies to create the conditions for a renewed dialogue among cultures and civilizations;

16. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to bear in mind fully the issues raised in the present resolution in the course of its activities for the promotion and protection of human rights;

17. *Also requests* the Office of the High Commissioner and invites the United Nations Educational, Scientific and Cultural Organization to support initiatives aimed at promoting intercultural dialogue on human rights;

18. *Urges* relevant international organizations to conduct studies on how respect for cultural diversity contributes to fostering international solidarity and cooperation among all nations;

19. *Requests* the Secretary-General to prepare a report on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels regarding the recognition and importance of cultural diversity among all peoples and nations in the world and taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, and to submit the report to the General Assembly at its sixty-eighth session;

20. *Decides* to continue consideration of the question at its sixty-eighth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".